

Carey M. Wright, Ed.D. Interim State Superintendent of Schools

BILL:	Senate Bill 979	DATE:	March 5, 2024
SUBJECT:	Education - Artificial Intelligence - Guidelines and Pilot Program	COMMITTEE:	Education, Energy, and the Environment
POSITION:	Information Only		
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EXPLANATION:

The Maryland State Department of Education (MSDE) is providing information for consideration regarding Senate Bill (SB) 979– Education - Artificial Intelligence - Guidelines and Pilot Program.

SB 979

SB 979 requires MSDE to undertake the following:

- Coordinate with the Artificial Intelligence (AI) Subcabinet of the Governor's Executive Council to build best practices and guidelines for the development, procurement, implementation, and assessment of AI systems for the Local Education Agencies (LEAs).
- Coordinate with the Career and Technology Education (CTE) Committee and the CTE Skills Standards Advisory Committee to integrate AI into the College and Career Readiness (CCR) Standards as established by the State Board of Education.
- Adopt policies and procedures that ensure AI systems do not collect personal information from students or school staff without written approval from the Department of Information Technology (DoIT).

Additionally, SB 979 requires each LEA to designate an employee to oversee the ethical and productive use of AI in schools.

RESPONSE:

MSDE believes it is important that K-12 students, principals, and teachers have a State-level advocate to collaborate with prior to implementing AI to help mitigate unintended negative impacts on student safety, health, and well-being. MSDE is supportive of the bill's intention to standardize AI vocabulary across the State and further explore policies and best practices as they relate to the education setting, including the State's understanding of college and career readiness. However, MSDE seeks further clarity on how AI policies and procedures can be integrated into the State's recently adopted CCR standard.

In reference to the proposed directives within Section 7-2202, MSDE understands the need for the development and updating of guidelines, standards, and best practices regarding AI use for County Boards. Section 7-2202(C) places a requirement for LEAs to designate an employee to facilitate the productive and ethical use of AI systems. Currently, MSDE and LEAs may have no AI-experienced staff, and hiring an AI subject matter expert can be challenging due to scarcity in the market for this burgeoning field of technology. Some

LEAs do not have funding for teams dedicated to meet pre-existing mandates and needs around cybersecurity and data privacy efforts, thus adding AI designees may further strain limited resources. However, unlike its counterpart in the House (HB 1297), SB 979 removes the resource-intensive requirement that LEAs must submit an annual inventory of systems that employ AI, along with the required associated impact assessments, making the implementation of the bill more manageable for LEAs.

MSDE embraces its leadership role in building best practices and guidelines surrounding AI and believes this work will assist LEAs in implementing systems that will best serve students and school staff. Even so, currently, MSDE does not have the subject matter experts or personnel to lead the LEAs in the fast-growing field of AI. As a result, MSDE anticipates the need to hire one Educational Technology AI Specialist and one Educational Technology Specialist to implement the directives outlined in the bill. Substantial participation and support from the AI Subcabinet of the Governor's Executive Council will be necessary to develop and update guidelines and best practices that promote the safe and responsible use of AI systems in Maryland schools. Currently, there is no existing policy on AI within the DoIT IT Security Manual, which is the official guide that establishes IT policies and protocol for all State agencies. Given DoIT's authority, MSDE will need their guidance while collaborating with the AI Subcabinet of the Governor's Executive Council to ensure alignment of emerging state AI policies.

We respectfully request that you consider this information as you deliberate **SB 979**. For further information, please contact Dr. Akilah Alleyne at 410-767-0504, or <u>Akilah.alleyne@maryland.gov.</u>